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concl'd*
the present invention, in particular embodiments, also relates to transgenic versions of the claimed hybrid maize line 31R88.

In the Claims

Please amend claims 6, 8, 11, 15, 19, 21, 24, 28 and 32 as follows:

C2
6. (Twice Amended)

The tissue culture according to claim 5, the cells or protoplasts of said cells having been isolated from a tissue selected from the group consisting of leaves, pollen, embryos, roots, root tips, anthers, silks, flowers, kernels, ears, cobs, husks, and stalks.

C3 E4
8. (Twice Amended)

The maize plant of claim 2 wherein said maize plant further comprises a genetic factor conferring male sterility.

C4
11. (Twice Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 2, wherein said maize plant has derived at least 50% of its alleles from 31R88 and is capable of expressing a combination of at least two 31R88 traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, Staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, and brittle stalk resistance.

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15. (Twice Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 21, wherein said maize plant has derived at least 50% of its alleles from 31R88 and is capable of expressing a combination of at least two 31R88 traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield

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environments, stalk lodging resistance, root lodging resistance, Staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, and brittle stalk resistance.

C4

19. (Twice Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 16, wherein said maize plant has derived at least 50% of its alleles from 31R88 and is capable of expressing a combination of at least two 31R88 traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, Staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, and brittle stalk resistance.

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21. (Twice Amended)

The maize plant of claim 2 wherein said maize plant further comprises a genetic factor conferring male sterility.

C8

24. (Twice Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 24, wherein said maize plant has derived at least 50% of its alleles from 31R88 and is capable of expressing a combination of at least two 31R88 traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, Staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, and brittle stalk resistance.

28. (Twice Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 25, wherein said maize plant has derived at least 50% of its alleles from 31R88 and is capable of expressing a combination of at least two 31R88 traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, Staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, and brittle stalk resistance.

32. (Twice Amended)

A maize plant, or its parts, wherein at least one ancestor of said maize plant is the maize plant, or its parts, of claim 29, wherein said maize plant has derived at least 50% of its alleles from 31R88 and is capable of expressing a combination of at least two 31R88 traits selected from the group consisting of: a relative maturity of 119 based on the Comparative Relative Maturity Rating System for harvest moisture of grain, yield potential under low to moderate yield environments, stalk lodging resistance, root lodging resistance, Staygreen, drought tolerance, resistance to Gray Leaf Spot, resistance to common rust, resistance to Southern Leaf Blight, and brittle stalk resistance.

Please add new claims 33 – 42 as follows:

33. (New)

A method of making a hybrid maize plant designated 31R88 comprising:
crossing an inbred maize plant GE528776, deposited as PTA-4282 with a second inbred maize
plant GE492452, deposited as PTA-4278; and
developing from the cross a hybrid maize plant representative seed of which having been
deposited under ATCC Accession Number PTA-4272.

34. (New)

A method of making an inbred maize plant comprising:
obtaining the plant of claim 2 and
applying double haploid methods to obtain a plant that is homozygous at essentially every locus,
said plant having received all of its alleles from maize hybrid plant 31R88.

35. (New)

A method for producing an 31R88 progeny maize plant comprising:

- (a) growing the plant of claim 2, and obtaining self or sib pollinated seed therefrom;
and
- (b) producing successive filial generations to obtain a 31R88 progeny maize plant.

36. (New)

A maize plant produced by the method of claim 35, said maize plant having received all of its alleles from hybrid maize plant 31R88.

37. (New)

A method for producing a population of 31R88 progeny maize plants comprising:

- (a) obtaining a first generation progeny maize seed produced by crossing the maize plant of claim 2 with a second maize plant;
- (b) growing said first generation progeny maize seed to produce F₁ generation maize plants and obtaining self-pollinated seed from said F₁ generation maize plants; and
- (c) repeating the steps of growing and harvesting successive filial generations to obtain a population of 31R88 progeny maize plants.

38. (New)

The population of 31R88 progeny maize plants produced by the method of claim 37, said population, on average, deriving at least 50% of its alleles from 31R88.

39. (New)

A 31R88 maize plant selected from the population of 31R88 progeny maize plants produced by the method of claim 37, said maize plant deriving at least 50% of its alleles from 31R88.

40. (New)

The method of claim 37, further comprising applying double haploid methods to said F_1 generation maize plant or to a successive filial generation thereof.

41. (New)

A method of producing a male sterile maize plant comprising transforming the maize plant of claim 2 with a genetic factor conferring male sterility.

42. (New)

The method of claim 41 wherein a male sterile maize plant is produced.

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